

been substituted for sardines in pure olive oil, which it purported to be. The remainder of the article was alleged to be adulterated in that an oil other than olive oil had been substituted for pure olive oil, which it purported to be.

The article was alleged to be misbranded in that the statement "In Pure Olive Oil" or "Packed in Pure Olive Oil" was false and misleading as applied to an article that consisted largely of an oil other than olive oil and that contained little or no olive oil.

On September 23, October 7, and December 4 and 16, 1941, the B. O. Bowers Co., claimant for the seizures at New York and Brooklyn, and the Addison Packing Co., claimant for the seizures at Somerville and Chicago, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

3524. Adulteration and misbranding of canned sardines. U. S. v. 61 Cartons of Canned Sardines. Consent decree of forfeiture ordering the product released under bond to be relabeled. (F. D. C. No. 6033. Sample No. 51906-E.)

On October 15, 1941, the United States attorney for the District of Massachusetts filed a libel against 61 cartons, each containing 100 cans, of sardines at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about August 25, 1941, by Reeves Parvin & Co. from Ellsworth, Maine; and charging that it was adulterated and misbranded. It was labeled in part: (Cans) "Contents 3¼ Ozs. Surfman Brand Selected Maine Sardines in Pure Olive Oil Packed by Addison Packing Co., Southwest Harbor, Me."

The article was alleged to be adulterated (1) in that a valuable constituent, olive oil, had been in whole or in part omitted therefrom; and (2) in that an article, sardines in an oil other than olive oil, had been substituted for sardines in pure olive oil, which it purported to be.

It was alleged to be misbranded in that the statement "In Pure Olive Oil" was false and misleading as applied to an article that consisted largely of an oil other than olive oil and that contained little or no olive oil.

On January 7, 1942, Addison Packing Co., claimant, having admitted the allegations of the libel, judgment of forfeiture was entered and the product was ordered released upon the deposit of collateral conditioned that it be relabeled under the supervision of the Food and Drug Administration.

3525. Adulteration of tullibeets. U. S. v. 107 Boxes of Frozen Fish. Default decree of condemnation and destruction. (F. D. C. No. 7073. Sample No. 74260-E.)

Examination showed that this product contained parasitic worms.

On March 21, 1942, the United States attorney for the District of New Jersey filed a libel against 107 boxes, each containing 130 to 140 pounds, of frozen fish at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about February 16, 1942, by Atlantic Fish & Oyster Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Product of Canada Cold Storage Lot 23106 Rec'd 2 18 42."

On May 9, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUITS AND VEGETABLES

APPLES

3526. Adulteration of apples. U. S. v. 241 Boxes of Apples. Default decree of condemnation and destruction. (F. D. C. No. 6386. Sample No. 70225-E.)

Examination showed that this product was contaminated with spray residue containing lead and arsenic.

On December 2, 1941, the United States attorney for the Northern District of Georgia filed a libel against 241 boxes of apples at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 1, 1941, by Mojonnier & Sons, Inc., from Wenatchee, Wash.; and charging that it was adulterated in that it bore or contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it injurious to health. The article was labeled in part: "Blue Mountain Brand Apples."

On April 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.